

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BARABINO,

Plaintiff,

No. 2:13-0728 JAM CKD PS

vs.

PETER DEANGELI, et al.,

Defendants.

ORDER

Plaintiff is proceeding in this action pro se. Plaintiff alleges claims under the Fair Housing Act, 42 U.S.C. § 3612(o). Venue for actions brought under that section is provided under 28 U.S.C. § 1391.

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

In this case, there is no indication in the complaint where defendants reside. However, it appears that a substantial part of the events giving rise to plaintiff’s claims occurred

1 in Reno, Nevada, which is situated in District of Nevada. Therefore, plaintiff's claim should
2 have been filed in the United States District Court, District of Nevada, Reno. In the interest of
3 justice, a federal court may transfer a complaint filed in the wrong district to the correct district.
4 See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

5 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the
6 United States District Court for the District of Nevada, Reno.

7 Dated: April 18, 2013

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9 CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE
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